

**BEFORE THE BOARD OF ADJUSTMENT OF SUSSEX COUNTY**

**IN RE: REDDENWOOD II, LLC**

**(Case No. 12253)**

A hearing was held after due notice on January 7, 2019. The Board members present were: Mr. Dale Callaway, Ms. Ellen Magee, Mr. Bruce Mears, Mr. John Mills, and Mr. Brent Workman.

Nature of the Proceedings

This is an application for a special use exception to use a manufactured home type structure for an office.

Findings of Fact

The Board found that the Applicant is requesting a special use exception for a three-year period for a temporary sales trailer to serve prospective home buyers within the approved subdivision. This application pertains to certain real property located on the east side of Black Willow Drive in the Reddenwood II subdivision accessed through the Reddenwood I subdivision off Neptune Road (911 Address: N/A) said property being identified as Sussex County Tax Map Parcel Number 1-35-7.00-12.00. After a hearing, the Board made the following findings of fact:

1. The Board was given copies of the Application, a letter from Cliff Mumford, P.E., a sales trailer site plan dated November 2018, an aerial photograph of the Property, and a portion of the tax map of the area.
2. The Board found that the Office of Planning and Zoning received no correspondence in support of or in opposition to the Application.
3. The Board found that Ring Lardner was sworn in to testify about the Application and he presented exhibits to the Board to review.
4. The Board found that Mr. Lardner testified that the subdivision will consist of 41 homes and homebuilding will begin in March 2019.
5. The Board found that Mr. Lardner testified that, due to the small size of the subdivision, it would not be cost efficient to construct a traditional sales model home that would be found in larger communities. As such, the Applicant seeks to use a temporary sales trailer for a period of three years. The trailer will be similar to a unit used in 2 other Schell communities where special use exceptions were approved.
6. The Board found that Mr. Lardner testified that the unit will not substantially affect adversely the uses of adjacent and neighboring properties.
7. The Board found that Mr. Lardner testified that the sales center has a clean and beachy appearance attracting neighboring residents as they drive or walk by.
8. The Board found that Mr. Lardner testified that the area will be landscaped with a variety of flowers and trees.
9. The Board found that Mr. Lardner testified that waste water will be collected under the sales center in a holding tank and will be pumped on an as needed basis and water will be provided by either a well or a holding tank.
10. The Board found that Mr. Lardner testified that there will be motion sensitive lights to provide for a safe and secure site.
11. The Board found that Mr. Lardner testified that the sales center will be staffed by appointment only, so traffic will be minimal.
12. The Board found that no parties appeared in support of or in opposition to the Application.
13. Based on the findings above and the testimony and evidence presented at the public hearing and the public record, which the Board found credible, persuasive,

and un rebutted, the Board determined that the application met the standards for granting a special use exception because the manufactured home-type structure will not substantially affect adversely the uses of neighboring and adjacent properties. The findings below further support the Board's decision to approve the Application.

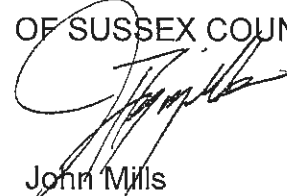
- a. The Property is a large lot as shown on the site plan and tax map. The Property can easily hold this unit without overburdening the site.
- b. The Applicant is redeveloping the Property and will be using the unit for a temporary period of time while the main units on the site are being constructed. The unit will be used as a sales office and will be landscaped and have an attractive appearance.
- c. The Applicant submitted pictures of the unit and it appears to be maintained in a presentable condition.
- d. Since the structure will be used to attract business to the Property, the Board is convinced that the Applicant will take appropriate steps to make sure that the structure is well-maintained and attractive.
- e. No evidence was presented which convinced the Board that the structure will have a substantial adverse effect on neighboring and adjacent properties.
- f. The special use exception was approved for a period of three (3) years.

The Board granted the special use exception application for a period of three (3) years finding that it met the standards for granting a special use exception.

Decision of the Board

Upon motion duly made and seconded, the special use exception application was approved for a period of three (3) years. The Board Members in favor were Mr. Dale Callaway, Ms. Ellen Magee, Mr. Bruce Mears, Mr. John Mills, and Mr. Brent Workman. No Board Member voted against the Motion to approve the special use exception application.

BOARD OF ADJUSTMENT  
OF SUSSEX COUNTY



John Mills  
Chairman

If the use is not established within two (2) years from the date below the application becomes void.

Date March 5, 2019